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TAGS: PREL PHUM PTER KPAL EUN IS FR

SUBJECT: FRANCE/GOLDSTONE: FRANCE SHARES MANY U.S. REDLINES

REF: A. STATE 112828

1B. PARIS 1300 (NOTAL)

Classified By: Kathleen Allegrone, Minister Counselor, reason 1.4, b and d.

11. (C) SUMMARY: Poloff discussed Ref. A demarche on November 3 with MFA UN/IO officer Frederic Jung, who covers UNSC Middle East issues, and who found nothing unexpected in the U.S. position. France is working with other EU members to secure agreement on significant changes to the current draft text, which will then be presented to the Palestinian observer delegation by the Swedish Permrep. France's vote on the resolution will depend on whether or not the text is modified. France shares some common redlines in the current text with the U.S., such as opposing an endorsement of the Report of the HRC session on the Goldstone Report; opposing referral for action to the UN Security Council; and opposing referral to the ICC, ICJ, or other international tribunal. France wants Israel to demonstrate a commitment to credible investigations of the Gaza violence. END SUMMARY.

12. (C) MFA UNSC/Middle East expert Frederic Jung told Poloff on November 3 that Ref A points were clear, and there was "nothing really surprising" on the U.S. approach to dealing with the Goldstone report at UNGA. France assesses the Palestinian-led draft UNGA text on the Goldstone report to be "less ambitious and more reasonable" than expected. France is not opposed to the principal of a "Goldstone resolution" at UNGA but the contents must be "acceptable" and the scope must be "limited." The current document oversteps a number of redlines that would have to be addressed before France could offer any support. According to Jung, France is committed to establishing a concerted EU response, and he believes that France and EU officials in New York have consulted with USUN. Currently, France is working with its EU partners to achieve a common position on what a possibly acceptable text would contain, at which point, Sweden's Permrep would engage with the Palestinian delegation to see if they will be accommodating. In Jung's opinion, it is impossible to say what the outcome of this effort will be, and he was unwilling to hazard a prediction on how France would vote, claiming it all depends on the final text. The EU had previously proposed alternate text in Geneva before the HRC debate, but the Palestinians did not respond.

FRENCH REDLINES AND AGREEMENTS

13. (C) Jung noted certain "redlines" common to our demarche that would make the resolution unacceptable, including the endorsement of the Report of the HRC session, since this had not been voted on in Geneva. According to Jung, France could

not accept any referral of the issue for action at the Security Council, though the simple transmission of the report and a further discussion in the UNSC might be acceptable. France also does not want the issue referred to the ICC, the ICJ, or some new international tribunal.

¶4. (C) On the other hand, Jung stated that the possibility of the Goldstone Report being raised in the context of the Fourth Geneva Convention might be worth considering. An acceptable resolution could, perhaps, also include a demand that all parties take action within their own jurisdictions, including investigations. Requiring some kind of follow-on report, from a multinational body, on steps taken by the parties could also be included.

EU NOT YET UNITED

¶5. (C) While France claims a common EU position will guide its next steps, Jung admitted that there are, and may remain, divisions within the membership, with the UK willing to be more accommodating on the Palestinian text and the Dutch pushing a harder line. As with the vote at the HRC, the EU will try to take the negotiating lead on behalf of member states, but the actual voting may not be unified.

WHAT IS ISRAEL DOING?

¶6. (C) Jung added that France wants to see Israel pursue a credible investigation into the Gaza violence, which would deflate any attempt to implicate the ICC, ICJ, or other judicial review. As noted in Ref B, on October 26, prior to

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the HRC vote, President Sarkozy had called PM Netanyahu to urge Israel to establish robust internal investigations into the Gaza violence, but Netanyahu refused. Therefore, Jung was "encouraged" by the reference in our points that the U.S. will "ensure" Israeli investigations. Poloff pointed out the actual text of our message is more nuanced.

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